

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CASE NO. 3:23-CV-00160-FDW-SCR**

**CHRISTOPHER JOHN BILLES DON,**

**Plaintiff,**

**v.**

**WELLS FARGO SECURITIES, LLC,**

**Defendant.**

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**ORDER**

**THIS MATTER** is before the Court *sua sponte* as to the trial setting in this matter. Based on the Court’s review of the parties’ proposed witness lists and proffered testimony, and the parties’ estimates of trial time, the Court finds the imposition of time limits for the presentation of opening statements, evidence, and closing arguments is necessary and appropriate in the trial of this case. In so finding, the Court has balanced the interests of justice as well as the parties in this case, including the need for improved efficiency in the presentation of evidence while also ensuring the fundamental fairness to each party at trial. See Raynor v. G4S Secure Sols. (USA), Inc., 805 F. App’x. 170, 178 (4th Cir. 2020) (“Efficiency is an important value in our judicial system, but it is not the only one. There comes a point at which the pursuit of trial efficiency undermines the fundamental fairness of a trial.”); see also Benjamin v. Sparks, 986 F.3d 332, 344–45 (4th Cir. 2021).


Accordingly, the Court finds a **twelve-hour time limit per side** is reasonable and will allow each party to have a fair chance to present their case to the jury, including the presentation of opening statements, evidence, and closing arguments. Counsel’s questioning of witnesses on behalf of their client—whether by direct or cross examination—will be charged against counsel’s

allotted time. The Court will exclude from the twelve-hour limitation any time used to make and resolve objections, unless it appears counsel is unreasonably abusing this exclusion, at which time the Court will provide counsel with a warning.

The parties shall **TAKE NOTICE** that trial is scheduled to begin on Monday, May 6, 2024. (Doc. No. 9.) The Court is confident this gives the parties sufficient notice and adequate time to craft their case within the time limitations imposed herein. Docket Call will take place at 9:01 a.m. on May 6, 2024, and the Final Pretrial Conference will take place following Docket Call, at 9:30 a.m. in Courtroom #5B of the Charles R. Jonas Federal Building, located at 401 West Trade Street, Charlotte, North Carolina, 28202.

**IT IS SO ORDERED.**

Signed: April 24, 2024

  
Frank D. Whitney  
United States District Judge

